

CHAPTER 14. CONTROL OF TRAFFIC AND VEHICLES

Section 1400 - Pedestrian, Bicycle and Vehicular Traffic;

Parking, Standing and Loading

1400.01 Highway Traffic Regulation Act Adopted by Reference. Except as otherwise provided in this Chapter, or elsewhere in this Code, M.S. Chapter 169, (commonly referred to as the Highway Traffic Regulation Act), is hereby incorporated herein and adopted by reference, including the penalty provisions.

1400.02 Definitions. Any term used in this Section and defined in M.S. 169.01 has the meaning given it by that Chapter.

1400.03 Owner Allowing Non-Licensed Person to Drive. No person having possession or control of a motor vehicle shall knowingly authorize or allow the vehicle to be driven or operated by any person prohibited from driving or operating such vehicle.

1400.04 Use of Vehicle Not Registered or Displaying Number Plates. Except as to vehicles exempted by law from registering and displaying license plates, no person shall use or operate any vehicle on public streets or highways in the City which has not been duly registered or does not display current number plates issued for such vehicle, provided that the foregoing shall not apply to the operator of a new motor vehicle who displays on the vehicle a valid permit issued by the motor vehicles registrar under M.S. 168.090, 168.091 or 168.092.

1400.05 Violations Involving Registration Plates or Serial Numbers on Motor Vehicles. No person shall:

- A. Display or cause to be displayed or have in possession any canceled, revoked, suspended or fraudulently obtained or stolen registration plates,
- B. Lend the person's registration plates to any other person or knowingly permit the use of such registration plates by another,
- C. Display or represent as one's own any registration plates not issued to that person; this shall not apply to any legal change of ownership of the motor vehicle to which the plates are attached, or
- D. Destroy, alter, remove, cover or deface the identification or serial number of any motor vehicle or knowingly operate any motor vehicle when its identification or serial number has been destroyed, altered, removed, covered or defaced without first making application for assignment of a special identification number as provided by this Code or State law.
- E. Alter or deface a temporary vehicle permit issued under M.S. 168.090, 168.091 or 168.092.

1400.06 Additional Violations Involving Registration Certificates and Number Plates. No person shall use or operate or cause to be used or operated any motor vehicle while a certificate of registration of the motor vehicle issued to the person is suspended or revoked. No person shall deface or alter any registration certificate or possess it after it has been defaced or altered, pursuant to M.S. 168.36.

1400.07 General Rules for Drivers.

Subd. 1 **Stop for School Stop Signs.** Every driver of a vehicle shall stop at a sign marked "Stop, School" before entering an intersection.

Subd. 2 **Backing.** No person in control of any vehicle shall back the vehicle without ample warning. While backing, care must be exercised not to injure persons or property. In no case, shall any vehicle be backed around a corner at or into an intersection of streets or highways.

Subd. 3 **Driving or Parking on Sidewalk.** No vehicle shall be parked or driven on or along a sidewalk.

Subd. 4 **Quiet Zones.** On any street in the vicinity of any hospital or other institution in which sick or wounded persons are cared for or treated, where a sign is displayed containing the words "Hospital, Quiet," no person shall make or cause to be made by any person, or object under that person's control any unnecessary noise by fast driving, ringing of bells, blowing of horns, whistles, or other devices or instruments under that person's control, or in any other way, in such vicinity, so as to unreasonably disturb the peace, comfort, or quiet of any patient of such hospital or institution.

1400.08 Regulation of Speed.

Subd. 1 **Speed in Alleys.** No person shall drive a vehicle on any public alley at a speed greater than is reasonable and prudent under the circumstances, and in no event at a speed greater than ten miles per hour.

Subd. 2 **Unreasonable Acceleration of Motor Vehicles.** No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed or noise on any public or private roads, streets, or highways within the City. Prima facie evidence of such unnecessary exhibition shall be driving in excess of the posted speed limit; or squealing or screeching sounds emitted by the tires; or unnecessary skidding or sliding upon acceleration; or the throwing of sand or gravel by the tires of said vehicle, or a combination of any of these.

1400.09 Pedestrians' Rights and Duties. No person or group of persons shall assemble or cause others to assemble on any sidewalk so as to unreasonably obstruct the free passage of pedestrians on the sidewalk or unreasonably interfere with the use of it.

1400.10 Parking, Stopping and Standing; Loading.

Subd. 1 **Additional Parking Rules.** No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, in any of the following places:

- A. On a boulevard between sidewalk and roadway;
- B. Within five feet of the intersection of any public or private driveway or alley with any street or highway;
- C. In any place where the vehicle will block a fire escape or the exit from any building; or
- D. In any place where temporary signs prohibit parking as long as the signs are in place.

Subd. 2 **Angle Parking.** Upon streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by the marks or signs.

Subd. 3 **Manner of Parking and Right-of-Way.** The driver of a vehicle who intends to park at the curb of any street or highway at a place about to be vacated by another vehicle shall stop in back of the parking space and wait until the vehicle has vacated the parking space. The person so desiring to park shall then move the said vehicle to a place immediately in front of said parking space and back into it, and the driver of any other vehicle approaching from the rear shall yield the right-of-way to the person for the purpose of parking at said parking space. In case there is no vehicle in position immediately in front of said parking space prepared to back into it, and the parking space is large enough to permit it, the driver of an approaching vehicle may head into the parking space without backing. In no case shall the front or rear extremities of the parked vehicle be closer than four feet to the front or rear of any parked vehicle.

Subd. 4 **Vehicle Back to Curb.** No driver shall back a vehicle up to the curb to load or unload except when the weight or bulk of the load necessitates loading or unloading in this position, and then only for the period of time necessary to load or unload the vehicle.

Subd. 5 **Truck Loading Zones.** No person shall stop, stand or park a vehicle, other than a truck as defined in M.S. 169 in any space marked or signed as a Truck Loading Zone. Trucks shall not be parked in Truck Loading Zones for any purpose other than, or for longer than necessary, to unload, deliver, or to pick up and load materials between 7 A.M. and 8 P.M., unless otherwise designated.

Subd. 6 **Passenger Loading Zones.** No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the loading or unloading of passengers in any place officially designated and marked as a Passenger Loading Zone during the hours when the regulations applicable to the Passenger Loading Zone are effective, and then only for a period not to exceed three minutes. Vehicles must parallel park in such zones.

Subd. 7 **Limited Parking Zones.**

A. Generally. Except on Sundays and legal holidays, no person shall park any vehicle for a longer period than is designated on the signs marking the zone in any Limited Parking Zone established by the Council.

B. Six Hour Parking. No person in charge of any vehicle shall park or permit the vehicle to stand upon any street or highway for more than six consecutive hours, unless otherwise designated on erected and installed signs. This paragraph shall not apply to vehicles used by persons while such persons are present and actively engaged in services performed on the premises of others, such as painting, home construction or repair, installation of appliances, cleaning, or fumigating.

C. Seasonal Parking Restriction. From November 1 to March 31, inclusive, no person shall park or permit any vehicle to stand on any street, highway or alley for all or any part of the period from 1 A.M. to 6 A.M.

D. Shifting of Parked Vehicle. To regulate limited parking, any vehicle moved a distance of not more than three tenths of a mile during the limited parking period shall be deemed to have remained stationary.

Subd. 8 **Vehicle Ignition to be Locked.** Every person parking a passenger automobile on a public street or alley shall lock the ignition, remove and take the key.

Subd. 9 **Leaving Unattended Children.** No person in a position of authority shall leave a child under the age of six years unattended in a motor vehicle unless the ignition is locked in the off position and the keys are removed from the vehicle. In no event shall a child under the age of six years be left unattended in a vehicle for more than 15 minutes. "Position of authority" includes but is not limited to, any person who is a parent or acting in place of a parent and charged with any of a parent's rights, duties or responsibilities to a child, or a person who is charged with any duty or responsibility for the health, welfare, or supervision of a child, either independently or through another, no matter how brief, at the time of the act.

Subd. 10 **Parking in Public Alleys.** Vehicles other than trucks shall not be parked in public alleys. Trucks shall not be so parked for a longer period of time than is necessary to load or unload commodities, and then not to exceed 30 minutes.

Subd. 11 **Double Parking.** Vehicles shall not double park on streets or highways, except trucks when calling for or delivering merchandise, and when access to the curb at or immediately adjacent to the place of delivery is blocked by other vehicles, and then only for such length of time as is necessary to load or unload, not to exceed 15 minutes. No motor vehicle, commercial or pleasure, shall double park in any area designated by the Council as a parking meter area.

Subd. 12 **Removal of Vehicles After Snowfall.** No person shall park or leave standing any vehicle on any street or alley in the City after a snowfall of at least

1 and 1/2 inches in depth until after the snow on the street has been removed or plowed to the curb line. Any vehicle parked or left standing on the street in violation of this

Subdivision may be removed by or under the direction of any police officer or City employee. If the vehicle is removed by or under the direction of the City, the expense may be charged against the owner of the vehicle. The removal shall not prevent prosecution of the owner for a violation of this Subdivision.

Subd. 13 Removal of Vehicle for Street Maintenance. Whenever the Engineer shall find it necessary in order to facilitate street maintenance operations, such as resurfacing or removal of snow, ice, or street wastes, to move any vehicle standing on any street, the Engineer or other emergency officials in the discharging of their duties, are authorized to move the vehicle to the extent necessary for such maintenance purposes.

Subd. 14 Removal of Illegally Stopped Vehicles. Whenever any police officer finds a vehicle standing upon a street or highway in violation of any of the foregoing provisions of this Subsection, the officer is authorized to move the vehicle pursuant to Section 1410 of this Code or require the driver or other person in charge of the vehicle to remove it to a position off the paved or improved or main traveled part of the street or highway.

When any police officer finds a vehicle unattended upon any street, highway, bridge, causeway or tunnel where the vehicle constitutes an obstruction to traffic, the officer shall provide for the removal of the vehicle pursuant to Section 1410 of this Code. All costs incurred by the City in removing any vehicles pursuant to this

Subd. 14 may be charged against the owner of the vehicles so moved pursuant to Subsection 100.09 of this Code.

Subd. 15 Lights on Parked Vehicles. Pursuant to authority granted by M.S. 169.53, vehicles parked on a highway or adjacent shoulder in accordance with local parking regulations need not display the required parking lights when parked where there is sufficient light to clearly reveal any person or object within a distance of 500 feet upon the highway.

1400.11 Bus and Taxicab Stands.

Subd. 1 Bus or Taxicab Stand. The driver of a bus or taxicab shall not stand or park upon any street in any non-residential district, as designated by Section 850 of this Code, at any place other than a bus stop or taxicab stand, respectively. This provision shall not prevent the driver of such a vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of, and while actually engaged in, loading or unloading passengers.

Subd. 2 Stopping in Bus Stop or Taxicab Stand. No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately sign-posted. However, the driver of a passenger vehicle may stop temporarily therein for the purpose of, and while actually engaged in, loading or unloading passengers when stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone.

1400.12 Trucks and Truck Zones.

Subd. 1 **Truck Routes.** Truck routes may be established and shall be identified by signs or markings erected and maintained by the Engineer. The establishment of such routes shall be subject to review by the Council. The work "truck" for purposes of this Subsection, shall mean and include truck, trailer, truck tractor and semi-trailer.

Subd. 2 **Operation of Trucks.**

A. When any truck route has been established and identified, any persons driving a truck having a gross weight of three tons or more shall drive the truck on such route and no other, except when it is impracticable to do so or where it is necessary to cross other streets to a destination to load or unload commodities or to tow a disabled or damaged motor vehicle to or from public or private property, and then only by such deviation from the nearest truck route as is reasonably necessary.

B. A truck arriving at the end of any designated truck route may be driven over the most direct course to the nearest truck route which extends in the same general direction.

C. The Engineer shall have the authority, for cause or upon request, to issue temporary permits for trucks to operate over routes not established as truck routes, or to otherwise deviate from the provisions of this Section. Such action by the Engineer shall be subject to review and modification, or cancellation, by the Council.

D. The provisions of this Subsection shall not apply to emergency vehicles of the Police Department, Fire Department, or Health Department, nor to any public utility vehicles where actually engaged in the necessary performance of duties by the public department or public utilities, nor to any vehicle owned by or performing work for the United States of America, the State, or the City.

E. In addition to posting signs or marking truck routes, the Engineer shall post signs at the City limits, upon all main traffic routes entering the City, notifying highways users that trucks may be driven only upon marked truck routes.

Subd. 3 **Trucks Following Each Other.** The driver of any truck shall not follow another truck within one hundred feet. This shall not be construed to prevent one truck from overtaking and passing another.

1400.13 Length of Vehicles. No vehicle shall exceed a length of 68 feet extreme overall dimensions inclusive of front and rear bumper. A truck tractor and semi-trailer shall be regarded as one vehicle for the purpose of determining lawful length.

1400.14 Unnecessary Noise. Every motor vehicle shall be maintained, loaded and operated so as to eliminate, as far as practicable, all unnecessary and annoying sounds caused by loose, worn, improperly adjusted, or inadequately fastened or connected parts or equipment.

1400.15 Unauthorized Traffic Signs and Regulations; Interference with Signals.

Subd. 1 **Unauthorized Traffic Regulation.** No unauthorized person shall regulate or attempt to regulate traffic upon the highways.

Subd. 2 **Advertising.** The use of red, green or amber lights on the highways for advertising or for signaling purposes, except as provided in this Section, is prohibited.

1400.16 Miscellaneous.

Subd. 1 **Application to Private Property.** All provisions of this Section shall apply to pedestrians or the drivers of vehicles or bicycles upon the streets, highways, or sidewalks of the City, except where clearly inapplicable, and to pedestrians and the drivers of vehicles and bicycles on private roads and driveways of the City, including off-street parking areas. The Manager may establish the maximum speeds at which vehicles and bicycles may be driven in such off-street parking areas. The speed limits may vary from parking area to parking area and shall be based on the requirements of safety in the affected parking areas. Each speed limit shall be established in writing, filed with the Clerk and shall become effective as an absolute speed limit on being sign-posted at each entrance to the affected parking area. No person shall drive a vehicle or bicycle on the parking area at a speed in excess of the posted speed.

Subd. 2 **Animal or Animal-Drawn Vehicle.** Every person riding an animal or driving any animal-drawn vehicle upon a roadway is subject to the provisions of this Section applicable to the driver of a vehicle, except those provisions of this Section which by their nature can have no application.

Subd. 3 **Jumping Rides.** No person shall ride in or jump into or upon any vehicle without consent of the driver, and no person shall when riding, allow any part of the person's body to project beyond the limits of the motor vehicle in which the person is riding except when signalling as required. No person shall board, alight from nor hang on to any motor vehicle, when the motor vehicle is in motion. This provision shall not apply to any person whose employment makes it necessary to ride in or on a vehicle otherwise than as provided in this Section, when engaged in the necessary duties of the employment.

Subd. 4 **Traffic Diverters.** The Council may, by resolution, establish traffic diverters at locations on the public streets in the City under its jurisdiction, and for temporary or permanent time periods, to regulate, control and guide traffic, as it deems necessary for the protection and promotion of health, safety and welfare of the citizens. The Engineer shall place traffic control devices in necessary locations to effectuate the Council resolutions. No vehicle shall be driven through or around any such traffic control devices except emergency vehicles and governmental vehicles.

1400.17 Enforcement.

Subd. 1 **Enforcing Officers.** The Police Chief and all police officers of the City shall be responsible for enforcing all the regulations and requirements of this Section. In addition, Community Service Officers, Parking Monitors, and Animal Control Officers of the City shall be responsible for enforcing Subsection 1400.10.

Subd. 2 **Failure to Give Name and Address.** Any person who, when arrested for a violation of this Section, willfully refuses to give such person's name or address, or who gives a false name or address, shall be guilty of a violation of this Section, regardless of the offense with which the person was originally charged.

Subd. 3 **Parking Violations.** Whenever a parked motor vehicle is found without an operator and in violation of any parking restrictions of this Section, the Enforcing Officer shall enter on the traffic ticket the date and time, the license number of the vehicle and data as to the nature of the violation, and shall affix the ticket conspicuously to the vehicle.

Subd. 4 No unauthorized person shall regulate or attempt to regulate traffic upon the streets and highways of the city. The Police Chief may approve individuals to direct traffic at specified locations and times subject to such training as the Police Chief determines is necessary.

1400.18 Parking Spaces for the Physically Disabled.

Subd. 1 **Definitions.** Unless the context clearly indicates otherwise, the following words and terms as used in this Subsection shall have the stated meanings:

Identifying Certificate. Certificate or insignia issued to physically disabled persons by the State Department of Public Safety pursuant to M.S. 169.345.

Physically Disabled Person. The definition in M.S. 169.345, Subd. 2.

Subd. 2 **Designation and Signing of Parking Spaces.**

A. Any person, corporation, organization, or governmental subdivision may designate, and reserve for use by physically disabled persons, parking spaces upon property owned or controlled by the party making such designation and reservation.

B. Parking spaces hereafter designated and reserved for physically disabled persons shall comply with Minnesota State Building Code Chapter 1341.0428.

C. Designation and reservation of such parking spaces shall be made by the posting of permanent, non-portable signs conforming to the requirements of the manual on Uniform Traffic Control Devices for Streets and Highways as adopted by the Minnesota Commissioner of Highways.

D. No person shall erect or cause to be erected signs designating and reserving parking spaces for physically disabled persons unless the location, number, and method of signing of such spaces is first approved by the Building Official or Police Chief.

Subd. 3 **Parking Restrictions.**

A. The provisions of this Subsection shall apply to all parking spaces designated and reserved for physically disabled persons on both public and private property

and whether designated and reserved pursuant to applicable provisions of this Code or State Law, or voluntarily done.

B. No person shall park a motor vehicle in parking spaces designated and reserved for physically disabled persons unless:

1. That person is physically disabled or is operating a vehicle under the direction and for the use of a physically disabled person; and
2. The vehicle has displayed prominently upon it a duly issued and valid identifying certificate.

Subd. 4 Penalty.

A. Any violation of this Subsection shall be a petty misdemeanor.

B. Any unoccupied vehicle found violating the provisions of this Subsection may be removed and impounded pursuant to Section 1410 of this Code.

Subd. 5 Fire Lane Violations. Violations of Subsection 605.08 of this Code relating to fire lanes shall be governed by and enforced pursuant to Subsection 100.09 of this Code.

History: Ord 1401 codified 1970; amended by 1401-A1 5-1-74, 1401-A2 3-24-76, 1401-A3 5-12-76, 1401-A4 11-24-76, 1401-A5 3-5-80, 1401-A6 8-5-81, 1401-A7 4-28-82, 613 5-16-90; Ord 2000-7, 7-5-00; 2011-19, 12-06-2011; 2012-11, 05-01-2012

Reference: M.S. Chapter 169, 168.090 through 169.092

Cross Reference: Sections 850, 1410; Subsections 100.09, 605.08